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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,
11 Plaintiff,

12 vs.

13 Anselmo Guadalupe Medina-Lopez,
14 Defendant.
15

18-CR-01226-JGZ
18-CR-01087-JGZ

SENTENCING MEMORANDUM

16 The United States of America, by and through its undersigned attorneys, hereby
17 submits the following sentencing memorandum in the above-captioned matter. Sentencing
18 is currently set for January 4, 2019, before the Honorable Judge Jennifer G. Zipps.

19 Reviewing the findings and recommendations in the Presentence Investigation
20 Report (PSR), the Government has no objection to the guideline calculations as prepared
21 in the PSR, and respectfully requests that this Court accept the plea agreement. The
22 Government will not withdraw from the plea agreement should Defendant seek, and the
23 Court grant, a variance from the advisory sentencing guidelines.

24 The Government concurs with the PSR sentencing recommendation, and
25 respectfully requests that this Court sentence the defendant to 18 months custody for the
26 instant offense, and an additional five months running consecutively for the supervised
27 release violation. No additional term of supervised release is recommended.
28

1 The defendant has an extensive criminal history dating back to 2002, including
2 convictions for drunk driving, selling cocaine, and improper reentry. PSR ¶ 24, 27, 28, and
3 30. Mr. Medina-Lopez has been deported on five occasions. PSR ¶ 38. He committed the
4 instant offense by reentering and reentered just a few months after his most recent
5 deportation. PSR ¶ 5-6

6 Title 18 U.S.C. § 3553(a) states that when imposing a sentence, a court shall
7 consider “the nature and circumstances of the offense and the history and characteristics of
8 the defendant.” The sentence imposed shall reflect the seriousness of the offense, provide
9 just punishment, afford adequate deterrence to further criminal conduct, and protect the
10 public from further crimes of the defendant. 18 U.S.C. §3553(a)(2). The sentence shall
11 also consider “the need to avoid unwarranted sentence disparities among defendants with
12 similar records, who have been found guilty of similar conduct.” 18 U.S.C. §3553(a)(6).

13 The Government’s recommended term of 18 months plus five months (consecutive)
14 of imprisonment is consistent with the application of the sentencing factors outlined in 18
15 U.S.C. § 3553(a). It takes into consideration the defendant’s characteristics, the instant
16 offense, the supervised release violation, and his prior convictions for immigration
17 offenses.

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